

UNITED CHURCH OF CHRIST • OFFICE OF COMMUNICATION

Beverly J. Chain, Director

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April 14, 1994

Mr. William F. Caton
Secretary, Federal Communication
Commission
1919 M Street, N.W.
Washington, D.C. 20554

APR 14 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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Dear Ms. Searcy,

Pursuant to Section 1.1206 of the Commission's Rules, this is to notify you of a written ex parte presentation. The presentation was made to Ms. Karen E. Watson, Director the Office of Public Affairs. The presentation was in the form of a letter addressed to Chairman Hundt with copies to Ms. Watson and General Counsel William Kennard. The letter concerned:

PP Docket No. 93-253
W-P-C 6929

A copy of the letter is enclosed along with relevant attachments

Please contact me at (202) 331-4265, if there are any questions.

Sincerely,

Anthony L. Pharr
Counsel

cc. R. Hundt
W. Kennard
K. Watkins

enclosures

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UNITED CHURCH OF CHRIST • OFFICE OF COMMUNICATION

Beverly J. Chain, Director

April 14, 1994

Mr. Reed E. Hundt
Chairman
Federal Communication Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Chairman Hundt,

Thank you for the opportunity to have an informal, yet informative, exchange of information at the recently held meeting of the Minority Media Ownership and Employment Council.

As a follow-up to our conversation, I am enclosing our comments that we prepared for the PCS proceeding. Please note that page 10 stresses the potential for PCS to offer content-based services. The comment appendix also contains a press release from APC, partly owned by the Washington Post, announcing plans to offer an electronic version of the newspaper. I believe that other electronic publishers are interested in obtaining a PCS license for the same reason.

The expressed intent of companies, such as APC which has a pioneers preference, to utilize PCS to disseminate news information underscores the need for policies that ensure diversity of ownership and viewpoint. The Commission's proposed policy to grant preferences to minorities and women are a perfectly valid means of achieving this goal.

Concerning equal employment opportunity, I would like to share with you the results of our research on the Regional Bell Operating Companies (see presentation to the National Association of Black Telecommunication Professionals). Our findings are based upon Annual Employment Reports filed with the FCC by the RBOCs from 1987 through 1993.

There are three important trends worthy of note: 1) minorities and women appear to be represented in the overall workforce and the top four categories in proportion to their representation in the national population; 2) RBOCs employ black females in disproportionately greater numbers to black males - a pattern that does not apply to other ethnic minorities; and 3) infrastructure modernization has coincided with a decline in the number of people employed - 76 billions dollars invested in new plant and 60,000 people laid off over a five year period.

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The latter development raises questions about the economic impact of infrastructure modernization. Will the net effect of increased productivity and the NII be to eliminate as many jobs as it creates? What kinds of jobs will it create, in what sectors of the economy, and are serious efforts being made to re-train displaced workers?

Concerning our first finding, I have been informed by industry executives that seven levels of management correspond to the position of "managers and officials" as it appears on the Annual Employment Report. Therefore, our finding with respect to the top four job categories is based upon limited access to information about representation in the most senior positions. In order to accurately determine representation in upper levels of management we urge the Commission to revise its Annual Employment Report to reflect job categories that are appropriate for the common carrier industry.

As a final matter I call your attention to the enclosed color maps of proposed video dialtone service in Illinois. These maps were derived from a census tract analysis of Ameritech's Section 214 application. Ameritech's proposal along with plans submitted by other RBOCs (see article concerning Bell Atlantic) suggests a national pattern of discrimination against low income and minority communities.

I call this to your attention for two reasons. First, we believe that Sections 201(b) and 202(a) of the Communications Act give the Commission the authority to deny video dialtone applications to the extent that they discriminate against any class of people. We therefore request that the Commission use its authority to prevent the discriminatory deployment of an important backbone of the NII. Such action would be consistent with the national policy seeking to avoid the stratification of society along lines of information "haves and have nots".

Secondly, it is our view that the reluctance to deploy video dialtone in nonaffluent communities stems from a corporate culture that has very little in common with people from diverse cultural backgrounds. After all it was the Chairman of Bell Atlantic that said, "...We will [first] go to the areas that have the highest chance of being economically successful...", referring to the wealthy suburbs of the Washington metropolitan area.

We maintain that the rigorous enforcement of equal employment opportunity in senior levels of management would bring about a radical change in the marketing and deployment practices of companies that so much depends upon in terms of achieving the universal service goals of the NII.

As far back as 1970 the Commission found that

...the public is required to do business with [monopolies]. This unique public interest role makes it particularly important that they not engage in discriminatory employment practices.

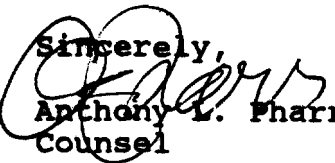
Report and Order, 24 FCC 2d 725, 726 (emphasis added).

The Commission should consider the exclusive role that content-neutral service providers have played and will continue to play in distributing information and deciding what neighborhoods receive advanced communications services. As these services become deregulated it becomes even more imperative that these companies comply with EEO guidelines.

If the information superhighway is not to serve just affluent "early adapters" of technology, then the marketing strategies of these companies must be completely revised. Only the Commission can set the tone and provide leadership in this regard.

Already under your watch as Chairman, the Commission has taken great strides with respect to the enforcement of EEO policies. We look forward to working with you to revise the EEO policies of common carriers. We would like to start by making available to the Commission the database from our EEO research.

Sincerely,



Anthony L. Pharr
Counsel

enclosures

cc Beverly J. Chain
William Kennard
Karen Watkins

ATTACHMENTS

Reply Comments in PP Docket No. 93-253

Presentation to the National NABTP Convention

Maps of the Proposed Video Dialtone Service Area in Illinois

**Will the "Information Superhighway
Detour the Poor? The Washington Post 12/19/1993**

EEO data base (3 1/4" disk for Quattro Pro)

PERCENT MINORITY ANALYSIS

INITIAL DEPLOYMENT OF *VIDEO DIALTONE SERVICE*

(FULLY AFFECTED MUNICIPALITIES)

KEY



FULLY AFFECTED MUNICIPALITIES



ILLINOIS STATE BOUNDARY

PERCENT MINORITY



0% to 5%



5% to 20%



20% to 40%



40% to 60%



60% to 100%



Miles

0 5 10



ILLINOIS



Prepared by: PJ Simonik Demo-Graphics

MEDIAN HOUSEHOLD INCOME ANALYSIS






INITIAL DEPLOYMENT OF VIDEO DIALTONE SERVICE

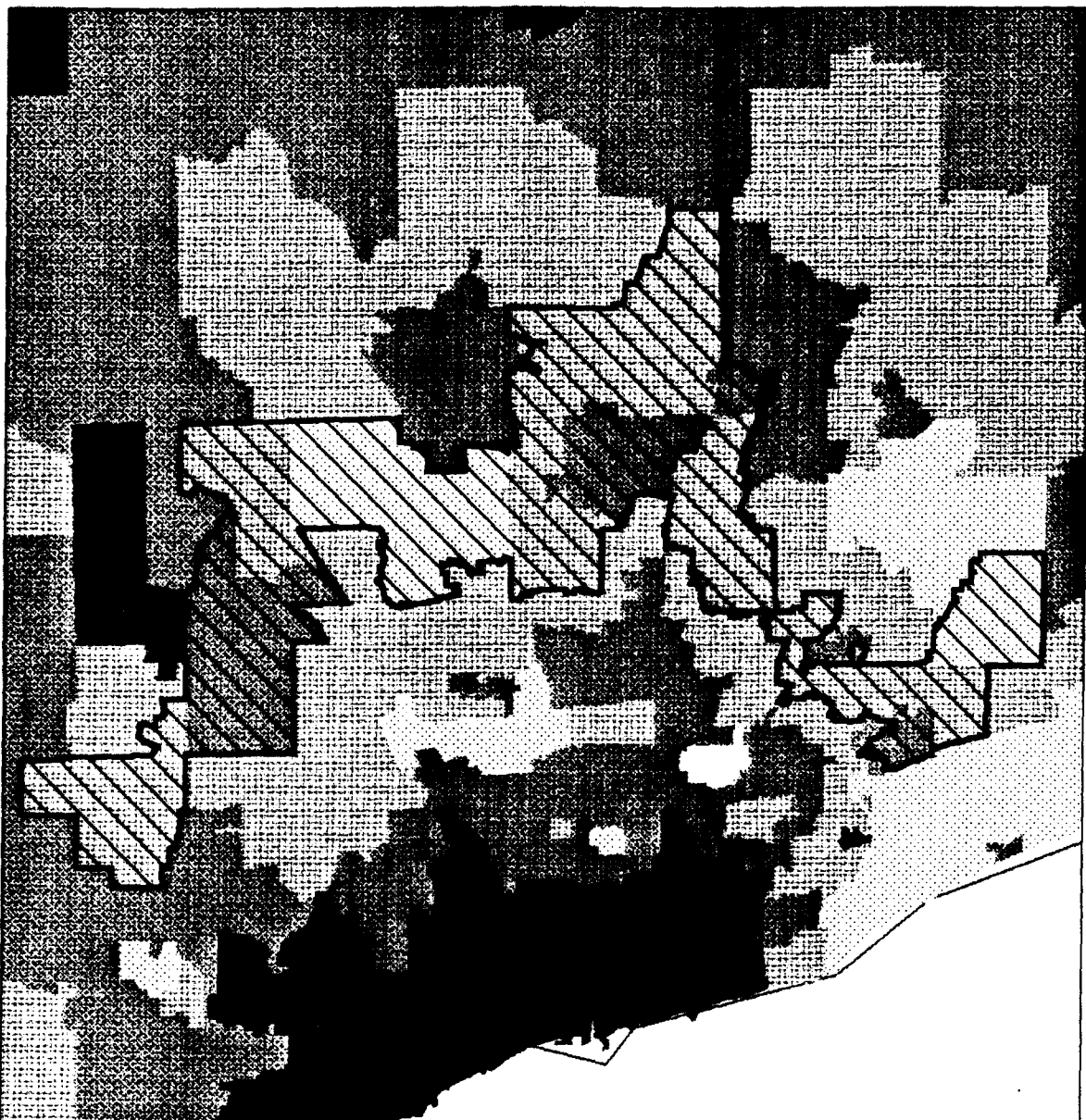
(FULLY AFFECTED MUNICIPALITIES)

KEY

-  FULLY AFFECTED MUNICIPALITIES
-  ILLINOIS STATE BOUNDARY

HOUSEHOLD INCOME RANGES

-  \$0 to \$15,000
-  \$15,001 to \$30,000
-  \$30,001 to \$45,000
-  \$45,001 to \$60,000
-  \$60,001 to \$142,000



Prepared by: PJ Simonik Demo-Graphics